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MAILED

MAR 29 2010

OFFICE OF PETITIONS

In re Application of :
Hassan AHMAD et al. :
Application No. 10/662,777 :
Filed: September 15, 2003 :
Attorney Docket No. 2551-1-001 :

DECISION ON PETITION

This is a decision on the renewed petition, under 37 CFR 1.137(b) filed on March 05, 2010, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to file a proper reply in a timely manner to the Non-final Office Action mailed February 21, 2007, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) was obtained. Accordingly, the above-identified application became abandoned on May 22, 2007.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the required reply; (2) the petition fee of \$810 as set forth in 37 CFR 1.17(m); and (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Accordingly, the reply to the Non-final Office Action mailed on February 21, 2007 is accepted as having been unintentionally delayed.

The Associate Power of Attorney filed with the petition on March 05, 2010 was not accepted and the names of the patent practitioners listed on the Associate Power of Attorney have not been made of record. Petitioner's request for change of power of attorney is not accepted as petitioner has not complied with 37 CFR 3.73(b). 37 CFR 3.73(b) provides that: (1) when an assignee seeks to take action in a matter before the Office, the assignee must establish its ownership of the property to the satisfaction of the Commissioner; (2) ownership is established by submitting to the Office, in the Office file related to the matter in which action is sought to be taken, documentary evidence of a chain of title from the original owner to the assignee (*e.g.*, copy of an executed assignment submitted for recording) or by specifying (*e.g.*, reel and frame number)

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where such evidence is recorded in the Office; (3) the submission establishing ownership must be signed by a party authorized to act on behalf of the assignee; and (4) documents submitted to establish ownership may be required to be recorded as a condition to permitting the assignee to take action in a matter pending before the Office.

As to item (2) listed above, petitioner has failed to identify the current assignee of record and have all the inventors of record sign.

Further correspondence with respect to this matter should be addressed as follows:


By mail: Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
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By FAX: (571) 273-8300
 Attn: Office of Petitions

By hand: Customer Service Window
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 Randolph Building
 401 Dulany Street
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Telephone inquiries concerning this decision should be directed to Tammara Peyton at (571) 272-6052 or in his absence to the undersigned at (571) 272-3217.

The Application is being referred to Art Unit 1655 for further processing.


David Bucci
Petitions Examiner
Office of Petitions

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